

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

ROGER KIGHT,)	
)	
Plaintiff,)	
)	
v.)	Case No. 04-3165-CV-S-FJG
)	
AUTOZONE, INC.,)	
)	
Defendant.)	

ORDER

Currently pending before the Court is defendant's Motion for an Order Staying Execution of the Court's Order issued September 5, 2006 (Doc. # 87). On September 5, 2006, the Court denied AutoZone's Motion for Judgment as a Matter of Law, or in the alternative, Motion for New Trial. The Court also awarded \$210,000 based upon the jury's finding of willfulness, \$79,374.50 in attorneys' fees and \$3,068.97 in costs, bringing the total award to \$303,443.47. AutoZone asks the Court to stay the execution of this Order pending the appeal. Counsel for plaintiff is not opposed to the Court granting a stay. Accordingly, for good cause shown and with no opposition indicated, the Court hereby **GRANTS** AutoZone's Motion and hereby **STAYS** the execution of this Court's September 5, 2006 Order, pending resolution of the appeal of this case.

Date: December 4, 2006
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
United States District Judge